

City Planning Commission

Department: Community Development Case #SAV-17-002 Applicant: City of Council Bluffs 209 Pearl Street Council Bluffs, Iowa	Resolution of Intent No. _____	Planning Commission: 07/11/17 Set Public Hearing: Public Hearing:
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Subject/Title

Request: Vacate that part of 11th Avenue extending from the east right-of-way line of the South Expressway (Highway 192) to the west right-of-way line of South 6th Street as well as that part of 11th Avenue extending from the east right-of-way line of South 6th Street to the west right-of-way line of South Main Street and to vacate the West north/south alley in Block 15, Riddles Subdivision.

Location: 11th Avenue between the South Expressway and South Main Street.

Background

The City of Council Bluffs is proposing to vacate the above described 11th Avenue right-of-way and the West north/south alley in Block 15, Riddles Subdivision. The proposed request would allow nonessential alley/right-of-way to be vacated and later conveyed to abutting property owners for redevelopment projects in the South Main Street area.

The subject 11th Avenue right-of-way is comprised of two sections. The west section measures approximately 66 feet wide by 154 feet long and extends from the South Expressway to the South 6th Street. The east section measures approximately 66 feet wide by 310 feet long and extends from South 6th Street to South Main Street. All of the subject 11th Avenue right-of-way is unimproved and was previously occupied by the Burlington Northern-Santa Fe Railroad (BNSF). In early 2017, the Iowa Department of Transportation removed the BNSF railroad tracks from 11th Avenue as part of their rail consolidation plan associated with the Interstate 29/80 reconstruction project. The City has no plans to build a new street in either right-of-way section. Properties abutting the west section of 11th Avenue are mostly undeveloped and have access to other public right-of-way, except for one warehouse property located immediately east of the South Expressway. This property utilizes 11th Avenue for their road frontage and would become landlocked if the abutting right-of-way is vacated, which is contrary the City's adopted policy and procedures for street right-of-way vacations. The City could vacate the portion of 11th Avenue immediately east of the subject property and not cause it to become landlocked (see Attachment B). Properties abutting the east section of 11th Avenue consist of undeveloped land, mixed commercial/residential building ("ArtSpace") and a vacant historic building (McCormick International Harvester Building). All of these abutting properties have access to other public right-of-way and would not be landlocked if 11th Avenue is vacated.

The subject West north/south alley in Block 15, Riddles Subdivision measures 12 feet wide by 272 feet long and is surrounded by undeveloped land, except for a storage yard located at the northeast corner of the intersection of South 6th Street and 12th Avenue. The alley is unimproved and the City has no plans to pave it at this time. No abutting properties utilize the alley for access.

All City departments and utility providers were notified of the proposed vacation requests. No adverse comments were received and it appears that no utilities are located within the subject right-of-way or alley; therefore, easements are not necessary. No abutting property owners were notified of the proposed request, as the City intends to own the alley and right-of-way land area, if vacated. Any future disposal of the vacated 11th

Avenue right-of-way will require a separate public hearing by City Council. The proposed vacations are generally consistent with redevelopment objectives stated in the South Main Street Sub-Area Plan of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).

The following exhibits show the existing conditions of the subject alley/right-of-way and all surrounding properties.

Exhibit A: View of the west section of 11th Avenue proposed to be vacated



Exhibit B: View of the east section of 11th Avenue proposed to be vacated

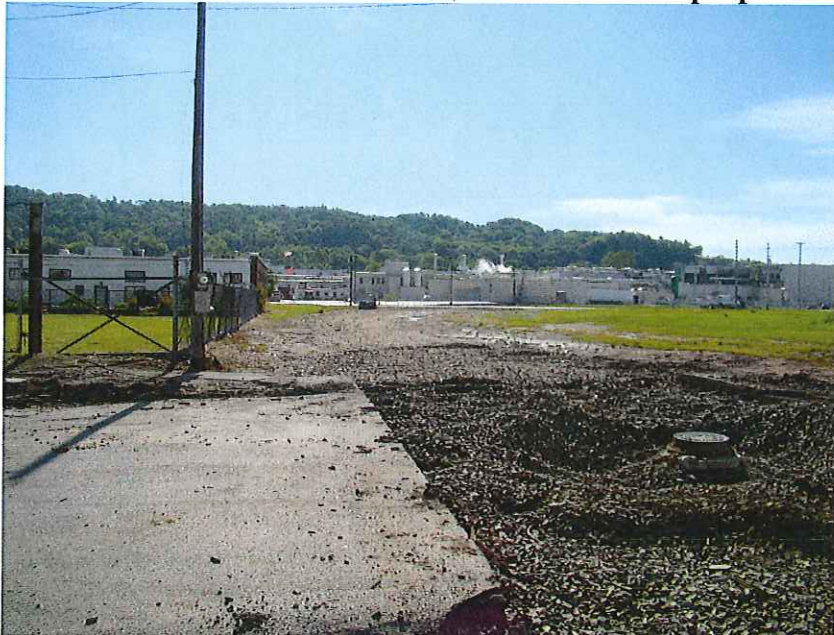


Exhibit C: View of properties abutting the subject 11th Avenue right-of-way.



Exhibit D: View of the subject alley proposed to be vacated and the surrounding land.



Recommendation

The Community Development Department recommends the following:

1. Approval of the request to vacate that part of 11th Avenue extending from the east right-of-way line of South 6th Street to the west right-of-way line of South Main Street;
2. Approval to vacate that portion of 11th Avenue abutting properties legally described as Lot 6, Block 11, Riddles Subdivision and the East ½ of the vacated alley adjacent along with Lot 1, Block 14, Riddles Subdivision; and
3. Approval of the request to vacate the West north/south alley in Block 15, Riddles Subdivision.

Attachment A – Map showing requested alley and right-of-way vacations.

Attachment B – Map showing staff recommendation for the proposed alley and right-of-way vacations.

Prepared By: Christopher Gibbons, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION ALLEY/RIGHT-OF-WAY VACATION MAP CASE # SAV-17-002



CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION STAFF RECOMMENDATION ALLEY AND RIGHT-OF-WAY VACATION MAP CASE # SAV-17-002

